IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

1. WRIT PETITION NO.10284 OF 2004
Shri Nitin Gajanan Kamble, Petitioner
Vs
1. Director,
Handloom Powerloom & Textile,
... & ors. .. Respondents
With

2. WRIT PETITION NO.10285 OF 2004
Shri Murlidhar Dattopant Nimankar Petitioner
Vs
1. Director,
Handloom Powerloom & Textile,
... & ors. .. Respondents
With
3. WRIT PETITION NO.10288 OF 2004
Shri Shrikant Sakharam Phatak Petitioner
Vs
1. Director,
Handloom Powerloom & Textile,
... & ors. .. Respondents
With
4. WRIT PETITION NO.10289 OF 2004
Shri Jyotiram Ramchandra Varute Petitioner
Vs
1. Director,
Handloom Powerloom & Textile,
... & ors. .. Respondents
And
5. WRIT PETITION NO.10290 OF 2004
Shri Mahesh Sadashiv Satpute Petitioner
Vs
1. Director,
Handloom Powerloom & Textile,
... & ors. .. Respondents

Shri A.A.Kumbhakoni with Mr A.M.Kulkarni, for the petitioners.
Mr A.H.palekar, AGP for respondent nos 1,2 and 4.
Mr Umesh Mankapur, for respondent no.3.

CORAM : D.B.BHOSALE,J.
DATE : 23rd December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Leave to amend. Amendment to be carried out by

tomorrow, i.e. 24.12.2004.

3. In this group of writ petitions, the petitioners have prayed for a stay of the impugned order dated 1.12.2004 till the disposal of the statutory appeals filed against that order before respondent no.4. The order impugned in the present writ petitions is passed under section 88 of the Maharashtra Co-operative Societies Act, 1960 by which the liability against all the petitioners of Rs.1,99,430/- has been fixed by respondent no.1 on the basis of the report dated 9.6.2004 of respondent no.2. Respondent no.4,before whom the appeals have been filed, according to the petitioners, was pleased to hear the appeals on 13.12.2004 and after being satisfied to call for report and/or reply of the respondents, was pleased to fix the appeals for further hearing in the month of January,2005. However, no interim order was passed by respondent no.4. Hence, the petitioners have approached this Court by way of present writ petitions seeking stay of the impugned order pending hearing and disposal of their appeals before respondent no.4. After having heard the learned counsel appearing for the parties and considering that the statutory appeals filed by the petitioners in all the five writ petitions are pending before respondent no.4, I am satisfied that the

following order will meet the ends of justice.

(i) Respondent no.4 shall endeavour to dispose of all the five appeals filed against the order dated 1.12.2004 passed by respondent no.1 in pursuance of the report dated 9.6.2004 of respondent no.2 as expeditiously as possible and preferably within a period of 12 weeks from the date of receipt of this order. The petitioners are directed to produce a copy of this order before respondent no.4 within two weeks from today. The impugned order dated 1.12.2004 passed by respondent no.1 shall remain stayed till the disposal of all the appeals filed by the petitioners in this group of writ petitions before respondent no.4.

(ii) While passing this order, I shall not be understood to have examined the merits of the case. Needless to express that respondent no.4 will decide the appeals on merits in accordance with law and uninfluenced by the interim protection granted by this order.

(Viii) All the writ petitions stand disposed of.

. Parties to act on an authenticated copy of this order.

(D.B.Bhosale, J.)